

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISIONS
C.A. No. 3:19-cv-00590-FDW**

LEGRETTA F. CHEEK,

Plaintiff,

V.

GURSTEL LAW FIRM, P.C., SHANNON N. CRANE,
WHITNEY M. JACOBSON, JESSE VASSALLO LOPEZ,

Defendants.

**DEFENDANTS GURSTEL LAW FIRM, P.C., SHANNON N. CRANE,
WHITNEY M. JACOBSON, JESSE VASSALLO LOPEZ,
MOTION TO DISMISS THE COMPLAINT**

NOW COMES the Defendants Gurstel Law Firm, P.C., Shannon N. Crane, Whitney M. Jacobson and Jesse Vassallo Lopez, by and through undersigned counsel, and hereby move this Court for an order dismissing the Complaint in this action pursuant to Rules 12(b)(2) and 12(b)(3) of the Federal Rules of Civil Procedure.

As grounds for their Motion, the movants would show unto this honorable Court the following:

1. Defendants Gurstel Law Firm, P.C., Shannon N. Crane, Whitney M. Jacobson and Jesse Vassallo Lopez do not have sufficient contacts with the State of North Carolina to be subject to personal jurisdiction with this Court. Defendants move

the Court to dismiss the Complaint pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure.

2. Plaintiff has brought this lawsuit in the Western District of North Carolina, however, pursuant to U.S.C. § 1391 this judicial district is an improper venue for this action. Defendants move the Court to dismiss the Complaint pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure.

As further basis for their Motions, Defendants shall rely on the evidence, arguments and authorities set forth in their Memorandum of Law and Declarations filed contemporaneously with this Motion.

WHEREFORE, Defendants Gurstel Law Firm, P.C., Shannon N. Crane, Whitney M. Jacobson and Jesse Vassallo Lopez respectfully request that the Court grant this Motion to Dismiss.

This the 23 day of December, 2019.

**SMITH DEBNAM NARRON DRAKE
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/s/ Caren D. Enloe

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